

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEW HAMPSHIRE

IMS HEALTH INCORPORATED, a Delaware)
corporation, and VERISPAN, LLC, a Delaware)
limited liability company,)
)
Plaintiffs,)
) Case No. 06-CV-280-PB
vs.)
)
KELLY A. AYOTTE, as Attorney General of)
the State of New Hampshire,)
)
Defendant.)
_____)

Declaration of Jeremy Eggleton in
Support of Plaintiffs' Motion for Preliminary Injunction

I, Jeremy Eggleton, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the following is true and correct:

1. I am over 18 years of age, have personal knowledge of the information contained in this declaration and declare that the foregoing is true and correct.

2. I am a third-year law student at Boston College Law School in Newton, Massachusetts. I was employed as a summer associate at Orr & Reno, P.A., during the month of June 2006.

3. In May 2006, the New Hampshire Legislature passed the 2006 N.H. Laws 328, codified as N.H. Rev. Stat. Ann. §§ 318:47-f & 318:47-g & 318-B:12, IV (2006). This law was initiated as House Bill 1346 ("HB 1346").

3. In June 2006, Jeffrey Spear, a partner at Orr & Reno asked me to compile all materials of the legislative history for HB 1346 in connection with Orr & Reno's representation of the plaintiffs in the case *IMS Health Inc., et. al. v. Kelly A. Ayotte*. To comply with this

assignment, I put together the materials that appear as Exhibit A to the Request for Judicial Notice of Legislative History. I took the following steps to compile and prepare the materials contained in that Exhibit A.

a. First, I copied the files retained by the House Health, Human Services and Elderly Affairs committee following its hearings. The files were located in a folder held in the filing cabinets of the committee's office, located in the New Hampshire Legislative Office Building. I examined the folder and selected for copying all the materials generated by the committee except duplicates of materials we already possessed. The committee secretary photocopied them for me at a cost of ten cents (\$0.10) per hardcopy. These files included written submissions from witnesses, a summary transcript prepared by the House Clerk, and marked copies of the proposed legislation.

b. Second, I copied the files of the Senate Committee on Executive Departments and Administration regarding its hearings on the bill. These files were held by the Office of the Clerk of the Senate, in the State House. In lieu of me searching through the actual folder and selecting items of interest, the Clerk's staff copied the folder for me in its entirety at a cost of ten cents (\$0.10) per hardcopy. This file included all of the written submissions, notes and the senate hearing transcript as recorded by the senate clerks, and I received it in the form of a thick packet of paper.

c. Third, I prepared a transcript of the Senate floor debate on May 4, 2006, by listening to the streaming audio recordings of the debate posted on the Senate's website at <http://www.gencourt.state.nh.us/live/senate.html> and then preparing an accurate transcription of the debate as it was broadcast in the audio recordings.

4. After compiling these materials, I paginated them sequentially and prepared a

table of contents. The materials that I compiled are attached the request for judicial notice that is being filed simultaneously with this declaration.

Executed on July 27, 2006, in Concord, New Hampshire.

/s/ Jeremy Eggleton

Jeremy Eggleton